

REMARKS

By this amendment, claims 1, 13, 22, and 31 have been amended, and claim 43 has been added. Thus, claims 1-4, 6-14, 16-23, 25-32 and 40-43 are now active in the application. Reexamination and reconsideration of the application are respectfully requested.

In items 2 and 3 on pages 2-5 of the Office Action, claims 1, 2, 4, 6-13, 16-22, 25-32 and 40-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (Applicant's Admitted Prior Art described on pages 1-6 of the specification) in view of Johnston (U.S. 4,518,642); and claims 3, 14 and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Johnston and further in view of Umetsu (U.S. 4,518,634). These rejections are believed clearly inapplicable to the amended claims 1, 13, 22 and 31.

As described in the present specification in, for example, the "Summary of the Invention" section of the specification, the mixture used to injection mold the product (i.e., either the diaphragm or the dust cap) of the present claims is constituted by a secondary composite material, which is formed of a complex of a primary composite material with granular thermoplastic resin that is ground in a separate process. The primary composite material is formed of a dehydrated wet-mixture of fibrous thermoplastic resin and a fiber material, wherein the fiber material contains at least one of wood fiber, leaf fiber, bast fiber, seed fiber, fruit fiber, stem fiber, and animal fiber.

In the rejection, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of invention to combine the apparatus of AAPA, with the apparatus of Johnston to combine characteristics of thermoplastic diaphragms with characteristics of paper diaphragms.

On the other hand, with reference to pages 1-6 of the original specification and, in particular, to page 5, line 24 - page 6, line 4 thereof, the AAPA teaches "in the current method for manufacturing a diaphragm with the current facility, that is, dry blending method, it is possible to blend different types of resins. When a resin is mixed with pulp, however, the pulp cannot be dispersed evenly in the resin. As a result, the speaker cannot have the desired performance and audio quality."

The present invention as now recited in the independent claims 1, 13, 22 and 31 solves the above-identified problems of the AAPA by using a secondary composite material as now defined in the claims.

The AAPA thus does not disclose or suggest the features of the independent claims as now amended. Furthermore, the Johnston patent was cited by the Examiner for features that do not obviate the above-discussed shortcomings of the AAPA.

As such, it is believed apparent that the present invention as now recited in the independent claims 1, 13, 22 and 31 is not disclosed or suggested by the AAPA and, further, that there is no teaching or suggestion in the references or elsewhere that would have caused a person having ordinary skill in the art to modify the AAPA in such a manner as to result in or otherwise render obvious the present invention of independent claims 1, 13, 22 and 31. Therefore, it is respectfully submitted that these independent claims 1, 13, 22 and 31, as well as the claims depending therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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/Charles R Watts/

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